

REMARKS

Claims 1-23, 25, 34, 35, 37-41, 45, 48, 49, and 87-89 are pending. Claims 1-23, 25, 34, 35, 37-41, 45, 48, 49, 87-89 and 93 were examined and rejected. The remaining claims were previously withdrawn pursuant to a prior election of species, except for claims 91 and 92 which were withdrawn in response to a restriction requirement. Applicants believe that all remaining claims should be reexamined and reconsidered in view of the amendment to claim 1, which should now be in condition for allowance.

Examiner Interview

Applicants thank Examiner Chattopadhyay for the courtesy shown in a telephone interview conducted on April 20, 2004. Applicants' representative Robert Kramer discussed the invention and the claim language of independent claim 1 with reference to the Snyders et al. reference. In particular, applicants noted that the cited reference fails to show a pericardial reinforcement having a non-elastic member comprising one or more adjacent layers of material contiguous across the interior and exterior surfaces of the member, as currently recited by amended claim 1. Agreement was reached that the Snyders et al. reference only discloses a reservoir or bladder type support, and thus claim 1, as currently amended, will overcome the cited reference.

Prior Rejections under §102 and §103

All examined claims were rejected under §102 as allegedly being anticipated by U.S. Patent No. 6,095,968 to Snyders et al. Claims 7-9, 11 and 19-21 were rejected under §103 as allegedly being unpatentable over Snyders et al in view of U.S. Patent No. 6,241,654 to Alferness. Claims 10 and 22 were rejected under §103 as allegedly being unpatentable over Snyders et al in view of to Alferness and U.S. Patent No. 5,897,587 to Martikos et al. Claims 16 and 17 were rejected under §103 as allegedly being unpatentable over Snyders et al in view of U.S. Patent No. 5,131,907 to Williams et al.

Removal of these rejections is also now appropriate, as no reference of record in this case has been shown to include a pericardial reinforcement having, among other elements, a

non-elastic member comprising one or more adjacent layers of material contiguous across the interior and exterior surfaces of the member, as currently recited by amended claim 1.

Informal Matters

Claim 22 was only amended to correct a misspelled word.

Replacement Drawing Sheet

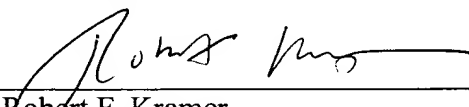
The Examiner noted that the Amendment mailed on November 17, 2003, was missing a drawing sheet that included changes to Fig. 22A. An annotated drawing sheet is submitted herewith for approval by the Examiner which includes shade lines to show the xiphoid process as described in the present specification. Applicants request that the changes to Fig. 22A be approved.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance and an action to that end is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,



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